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Before the
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Committee on Agriculture
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Concerning
The 2005 National Forest System Land and Resource Planning Rule

Mr. Chairman and Members of the Committee, thank you for the opportunity to discuss the new Forest Service land and resource management planning process.

INTRODUCTION

The new planning rule, released in January of 2005, is forward looking; encouraging extensive public collaboration, considering the best available science and continuing the Forest Service commitment to sustainability while recognizing the certainty of change and limits on agency resources.

Forest Service planners, biologists, hydrologists, research scientists, and many others contributed to development of the new rule that is built on the experience of over 25 years of forest planning under the National Forest Management Act.

Public comments on the draft rule from those who use, play in, and value our public lands also greatly contributed to its final form. The public wanted a voice in planning, and more transparency and accountability from the Forest Service. The 2005 Planning Rule provides for effective public participation in the process from beginning to end.

Under the new planning rule, a forest plan would be a collaboratively developed strategic vision for a forest and, typically, would not authorize project level decisions. Plans would describe desired conditions and objectives for forests, and provide guidance on achieving and maintaining them. Land management plans would merely guide how we decide the how, where, and when future activities should occur.

The 2005 Rule replaces three previous planning rules. Under the 1982 rule, extensive front-end analysis was required that asked managers to predict all issues and changes that might affect the forest or grassland over at least a decade. Experience has taught us that it is much more efficient to establish desired land conditions and give managers some flexibility, along with accountability, in working toward those conditions.
Forest managers and land management planners told us after the release of the 2000 rule that they thought that rule's processes were just too detailed and complex, and would extend the time spent in planning, taking scarce resources from monitoring of forest activities and plan adjustments.

The 2005 rule itself is streamlined and is focused on the overall goals of planning. The Forest Service is placing the procedural and technical details of planning, which are like the manual instructions for a car, in the Forest Service Directive System rather than in the planning rule as had been done in the past. Forest Service directives are the basis for the Forest Service's internal management of all programs and the primary source of administrative direction to Forest Service employees. As new information becomes available and as science changes, we can easily update the Directive System and continue to use the best information available.

The new planning rule will help the Forest Service continue to provide clean air, clean water, and abundant wildlife for future generations and will foster better public involvement. Under the new rule, plan revisions will be tailored to fit local environmental and community conditions. Plans will be more dynamic and will allow the Forest Service to better use new science to respond to rapidly changing conditions, like wildfire and invasive species.

KEY FEATURES OF THE NEW PLANNING RULE

Public collaboration and participation remain an important part of the new planning rule. The Department of Agriculture and the Forest Service continue to have a strong commitment to active and collaborative planning with the public. The new rule retains the key public involvement opportunities familiar to the public, and gives the public a more effective voice in the entire planning process--from beginning to end.

It took between five and seven or more years to complete a forest plan under the 1982 rule. For example, the Jefferson National Forest in Virginia began its plan revision process in 1993. This revision was just completed in 2004. The Forest tells me people were simply worn out by such a long process. It has been very difficult for the public to stay engaged for that long. Often, the only people who could keep involved were those paid to do so. The average person, no matter how interested and how much he or she valued our national forests and grasslands, simply couldn't attend meetings for years on end. The Forest managers also tell me that they believe the new rule will really help when they revise the George Washington National Forest plan. They anticipate they can complete the process on the George Washington—start to finish—in less than three years.

Under the new rule the public will help the Forest Supervisor identify forest and grassland desired conditions, and work with us in developing ways to achieve these desired conditions. The public will help us look at what areas are most suitable for certain uses and what guidance there should be for on-the-ground activities. Finally, the public will assist in designing plan monitoring and help implement Environmental Management Systems, which I will discuss shortly. The Forest Service expects plans to be developed, on average, over a three year period rather than the current average of six years.

There is an opportunity to use the new rule to increase participation by a more diverse number of people, including members of underserved and low-income populations. The Forest Service will continue to work to build or improve relationships and trust with

Federal, State, and local Governments, American Indian tribes, Alaska Natives, private landowners, and interested individuals and organizations.

The role of sustainability in the new planning rule. The Forest Service continues its commitment to sustainability. Like the 2000 rule, the new rule characterizes sustainability as composed of interdependent social, economic, and ecological elements. Within the sustainability framework, the public has been most interested in how the new planning rule addresses the ecological element which equates to "diversity of plant and animal communities" under the National Forest Management Act.

In the 1970's and early 1980's, the Forest Service timber harvest program was over 10 billion board feet. It made sense at the time to analyze intensively the effects of timber harvest and other programs, and to develop plans that were more prescriptive in order to conserve species and other resources. We concentrated on prohibiting or constraining management activities, rather than on desired conditions, which we now believe are the appropriate focus of the plan.

Today, the agency is focused on outdoor recreation and ecological restoration. We are harvesting a little over 2 billion board feet nationally, and much of the vegetation treatment is for restoration of ecological conditions in fire adapted ecosystems. With the focus on restoration and recreation, our planning processes will emphasize developing desired conditions to guide sustainable management of our National Forests and Grasslands.

The new rule is based on maintaining a diversity of plant and animal communities, beginning with an ecosystem approach. An ecosystem approach maintains and restores ecosystem conditions needed to conserve most species. This concept has considerable support among scientists. In short, if the ecosystems are in good shape, most species are being conserved.

In those cases where the ecosystem approach does not adequately provide for federally listed threatened or endangered species, species-of-concern, and species-of-interest, the plan must include additional conservation measures for these species. We will continue to comply with the Endangered Species Act and provide for the conservation of Threatened and Endangered species. We have taken an increased focus on conserving species with rangewide concerns in order to help keep species from being listed. For example, on the George Washington National Forest, they will now be able to better focus on critical species like the Cerulean Warbler.

The new rule provides for monitoring the progress toward desired conditions and objectives and requires that the results be made available to the public. The monitoring and feedback process will facilitate adaptive management and help maintain and improve diversity.

A Forest Service goal for land management planning is to provide for diversity of plant and animal communities and using the best available science. The new rule has adopted scientific principles to consider larger landscapes in the planning processes so we can look at the context within which species operate and then we will look at individual

species that may still be of concern. The new rule aligns our planning process with contemporary thinking about sustaining ecological systems and providing for the conservation needs of species.

The application of science in the new rule. The Forest Service has always used science in planning. The new rule requires documentation of how the best available science was considered in the planning process, evaluate and disclose substantial uncertainties in that science, disclose substantial risks associated with the plan, and document that the science was appropriately interpreted and applied. Although this direction was not included in the 1982 rule, these requirements reflect current agency practice.

The Forest Supervisor has several options to consider and integrate the best available science in our planning processes. We can use independent peer reviews, science advisory boards, or other appropriate means to evaluate the use of science in the planning process. The application of science will vary from plan to plan as appropriate and the new rule keeps the flexibility to make science work for us, in a common sense manner.

Under the new rule, plans can be updated quickly with new science or other new information. Often the science can be evaluated and applied right away, for example if the science suggests a better way to monitor this can be quickly changed and adapted.

Environmental Management System. An Environmental Management System will make our management more accountable, systematic and transparent. An Environmental Management System (EMS) seeks continual environmental improvement. Simply put, an EMS is a system to manage environmental impacts. It focuses on how to improve our everyday work to reduce impacts when we are interacting with the environment.

Why did the Forest Service include an EMS in the new planning rule? First we began with the existence of change and the need for adaptive management. Management actions over time lead to changes in resource conditions that require periodic review. These reviews can provide for continual improvements in management practices by learning from the outcomes of previous management actions. For example, fires and insect disease outbreaks can substantially change environmental conditions within short time periods. We also knew scientific findings can change our understanding of the environment and of the effects of specific activities. Such things as better monitoring techniques or ways to achieve objectives may arise. The public itself changes, as do its demands of the resources. A forest EMS will be specific to that unit's desired conditions and objectives, organizational structure, and the environmental impacts the forest believes are important.

Therefore, the Forest Service thought that land management plans must reflect the fact that change and uncertainty are inevitable and that the plans must allow for quick response to these ever changing conditions. The concept of adaptive management has wide support. The National Association of Professional Forestry Schools and Colleges and others commented on the proposed rule regarding the importance of using adaptive management when dealing with complex ecosystems. In 1999, the Committee of Scientists developed recommendations that strongly encouraged the use of adaptive management.

The Forest Service EMS is based on the International Organization for Standardization as ISO 14001: Environmental Management Systems—Specification With Guidance For Use (ISO 14001). The agency chose ISO 14001 as the vehicle for adaptive management for several reasons.

First, it is the most commonly used EMS model in the United States and around the world. This will make it easier to implement and understand (internally and externally) because there is a significant knowledge base about ISO 14001.

Second, the National Technology and Advancement Act of 1995 (NTAA) (Pub. L. 104–113) requires that Federal agencies use or adopt applicable national or international consensus standards wherever possible, in lieu of creating proprietary or unique standards.

Third, it has been a long-standing policy that Federal agencies implement the EMS to improve environmental performance (Executive Order 13148 issued April 21, 2000 (E.O. 13148), titled ‘‘Greening the Government Through Leadership in Environmental Management’’ and an April 1, 2002, Memorandum from the Chair of the Council on Environmental Quality and the Director of the Office of Management and Budget to the heads of all Federal agencies). Federal agencies that have been implementing the EMS in response to Executive Order 13148 have typically been using ISO 14001 as their model.

Real time planning and rapid response to change. The prime intent of changing the planning rule was to make planning more streamlined and effective. We did not change it just to make planning itself better, but rather to shift efforts to on the ground management. It’s time to get our very talented resource professionals out of the office, and back to the woods to tackle our very real resource issues, to monitor our activities, and to adjust as needed.

What has changed most with the new rule is how quickly new information can be applied. In the past, applying science could be very difficult and time-consuming. For example, in the 1990’s science indicated the Queen Charlotte’s Goshawk on the Tongass National Forest was in decline and new plan guidance was needed. The plan guidance proposed was suggested by the science, was generally supported, and was not very controversial. Nevertheless, because of the cumbersome nature of the analysis process for planning, it took seven years to amend the Tongass plan to include Goshawk guidance. This is not a very good use of taxpayer money, nor does it serve species conservation.

The new rule makes some fundamental changes in how the agency will conduct land management planning. Up until now, planning regulations required an environmental impact statement (EIS) for development of plans, significant amendments, and revisions. The new rule clarifies that plans will be strategic, rather than prescriptive in nature, and do not make resource commitments. Therefore, the Forest Service anticipates most plans may be categorically excluded from NEPA documentation.

A categorical exclusion (CE) is not an exemption from the requirements of NEPA. Rather, CEs are an essential part of NEPA that provide a categorical determination that certain actions do not result in significant impacts, eliminating the need for individual analyses and lengthier documentation for those actions. CEQ regulations direct agencies to use categorical exclusions to define categories of actions that do not individually or cumulatively have a significant effect on the human environment; and do not require the preparation of an environmental assessment or an environmental impact statement, thereby reducing excessive paperwork.

The Forest Service is evaluating public comments on its proposal to add a category for planning to its NEPA procedures. This category would add a new CE for plan development, amendment, and revision. Finalization of the proposal is expected later this year.

The new rule still requires that analysis during the development of plans, amendments and revisions be documented and that the public retain all the familiar planning involvement opportunities. The new rule also emphasizes monitoring, including a comprehensive review at least every five years to make sure unanticipated cumulative effects are not occurring and that the forest is moving toward desired conditions as anticipated. However, use of a CE, based on our more strategic plan structure, would vastly streamline the upfront planning time. This would allow resources to be shifted to monitoring and plan adjustment. Overall, planning would more effectively use public funds.

New planning processes will put money in the right place. The rule will provide an annual average cost savings of $4.6 million when comparing to the 1982 rule, and an estimated annual average savings of $36.9 million when comparing to the 2000 rule. However, these cost savings will not be realized fully until after land management plan revisions currently underway and completed either under the 1982 rule or by transition to the final rule. Increased costs associated with land management plan monitoring activities under the final will be incurred, but we anticipate this will likely be off-set by decreases in the cost of planning. Agency time and money will be used more effectively. This will enable the eventual shift of planning funds to activities which will keep the plans current.

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CONCLUSION

The new rule will foster effective collaboration with the public, provide for use of the best available science, and improve results and accountability. Environmental Management Systems will help the Forest Service better manage for real environmental improvement. The Forest Service wants to work with the public to do good planning and management. This rule will help make that happen.